

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
11

12 Michael HILL,

13 Petitioner,

14 v.

15 Michael MARTEL, Acting Warden of
16 San Quentin State Prison,

17 Respondent.

Case Number 4-94-cv-641-CW

DEATH-PENALTY CASE

ORDER FINDING RESTORATION
OF PETITIONER'S COMPETENCY

18 Proceedings in the present action have been stayed pending a
19 determination of Petitioner's competency. (Doc. No. 278.) It is
20 undisputed, and the Court found, that Petitioner was incompetent
21 for a period of time. (Doc. No. 312 at 5.) It now appears to be
22 undisputed, and the Court finds, that Petitioner's competency has
23 been restored. (See Doc. No. 299 at 14; Doc. No. 322 at 9.)

24 Accordingly, and good cause therefor appearing, the Court
25 hereby lifts the stay of proceedings.

26 At the time that the stay commenced, the parties were
27 litigating in state court the discovery of alleged Brady and
28 other materials. (See Doc. No. 254.) Accordingly, and good

1 cause appearing therefor, within thirty days of the entry of the
2 present order, the parties shall file a joint case-management
3 statement. The joint statement shall include a discussion of the
4 status of discovery; a proposed schedule or schedules for the
5 resumption of proceedings in the present action; and any other
6 pertinent information.

7 IT IS SO ORDERED.

8
9 DATED: 1/6/2012


CLAUDIA WILKEN
United States District Judge